

MONDAY, MAY 22, 2000

EIGHTIETH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Curtiss.

Representative Curtiss led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Langster; illness.

Representative Rhinehart; illness.

Representative Sharp; illness.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 1326:** Rep(s). S. Jones as prime sponsor(s).

**House Bill No. 2364:** Rep(s). Fraley, Lewis, Walker, Maddox, Stulce, Williams, White, Ridgeway, Sargent and Fitzhugh as prime sponsor(s).

**House Bill No. 2462:** Rep(s). Fraley as prime sponsor(s).

**House Bill No. 2471:** Rep(s). Ford, Naifeh, McDaniel, McCord, Hood, Williams, Odom, Bone, Givens, White, Maddox, Fitzhugh and Hargrove as prime sponsor(s).

**House Bill No. 2688:** Rep(s). Bowers as prime sponsor(s).

**House Bill No. 3002:** Rep(s). Walker as prime sponsor(s).

**House Bill No. 3241:** Rep(s). Hargrove, Stulce, Maddox, Buttry, Fitzhugh, White, Kent, Cole (Carter) and Todd as prime sponsor(s).

**ENROLLED BILLS**

**May 19, 2000**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 2684, 2772, 2842, 2943, 2947, 3013, 3299, 3306, 3322, 3326, 3330, 3331; House Joint Resolution(s) No(s). 714, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 744, 745, 747, 748, 749, 750, 751, 752, 753, 754, 755; also, House Resolution(s) No(s). 225 and 227.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**May 19, 2000**

The Speaker signed the following: House Bill(s) No(s). 2684, 2772, 2842, 2943, 2947, 3013, 3299, 3306, 3322, 3326, 3330, 3331; House Joint Resolution(s) No(s). 714, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 744, 745, 747, 748, 749, 750, 751, 752, 753, 754, 755; also, House Resolution(s) No(s). 225 and 227.

BETTY KAY FRANCIS, Chief Engrossing Clerk.



**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

**May 19, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2684, 2772, 2842, 2943, 2947, 3013, 3299, 3306, 3322, 3326, 3330, 3331; also, House Joint Resolution(s) No(s). 714, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 744, 745, 747, 748, 749, 750, 751, 752, 753, 754 and 755; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**May 19, 2000**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2684, 2772, 2842, 2943, 2947, 3013, 3299, 3306, 3322, 3326, 3330, 3331; also, House Joint Resolution(s) No(s). 714, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 744, 745, 747, 748, 749, 750, 751, 752, 753, 754 and 755.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

**May 19, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 492, with his approval.

MICHELLE LONG, Counsel to the Governor.

**SIGNED**

**May 19, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 3027, 3111; also, Senate Joint Resolution(s) No(s). 789, 820, 821, 825, 826, 827, 828, 830, 831, 832, 833, 834, 835, 842, 847 and 849.

**MESSAGE FROM THE SENATE**

**May 22, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2257; for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

**SIGNED**

**May 22, 2000**

The Speaker signed the following: Senate Bill(s) No(s). 2257.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

**MESSAGE FROM THE GOVERNOR  
May 22, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2027, 2104, 2180, 2221, 2388, 2408, 2420, 2434, 2600, 2612, 2685, 2720, 2769, 2770, 2918, 3030, 3032, 3101, 3156, 3160, 3227 and 2532, with his approval.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR  
May 22, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 73, without his signature.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE SENATE  
May 22, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 857, 858, 862, 863, 864 and 869; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 857** -- Memorials, Interns - Amanda Jones. by \*Burchett.

**Senate Joint Resolution No. 858** -- Memorials, Interns - Jeffery Lloyd Osgood, Jr. by \*Kurita.

**Senate Joint Resolution No. 862** -- Memorials, Academic Achievement - Kimberly Rhodes, Salutatorian, Kingsbury High School. by \*Kyle.

**Senate Joint Resolution No. 863** -- Memorials, Academic Achievement - Angela Brown, Valedictorian, Trezevant High School. by \*Kyle.

**Senate Joint Resolution No. 864** -- Memorials, Academic Achievement - Fatima El-fayed, Valedictorian, Kingsbury High School. by \*Kyle.

**Senate Joint Resolution No. 869** -- Memorials, Retirement - Billy H. Thompson. by \*Miller J.

**MESSAGE FROM THE SENATE  
May 22, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 575; amended, and concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**  
**May 22, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 435; amended, and concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**  
**May 22, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 37; passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Bill No. 37** -- Pensions and Retirement Benefits - Corrects "council on pensions and retirement" to "council on pensions and insurance." Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37. by \*Atchley, \*McNally. (\*HB25 by \*Rhinehart, \*Head)

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Rep. Ford was recognized in the Well to introduce Mr. Brandon Moore, Boys and Girls Clubs Tennessee Youth of the Year, for remarks.

**RULES SUSPENDED**

Rep. Ford moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 678 out of order, which motion prevailed.

**House Joint Resolution No. 678** -- Memorials, Personal Achievement - Brandon E. Moore, Boys and Girls Clubs Tennessee Youth of the Year. by \*Ford S.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Ford, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 24, 2000:

**House Resolution No. 230** -- Memorials, Interns - Vakeita Terese Barrett. by \*Turner (Shelby), \*Miller L.

**House Resolution No. 231** -- Memorials, Sports - Joey Chiolo, Bradley Central High School wrestling star. by \*Bunch, \*Newton.

**House Resolution No. 232** -- Memorials, Sports - Bradley Central High School star wrestler Matt Keller. by \*Bunch, \*Newton.

**House Resolution No. 233** -- Memorials, Sports - Rusty Blackmon, Bradley Central High School star wrestler. by \*Bunch, \*Newton.

**House Resolution No. 234** -- Memorials, Sports - Bradley Central High School wrestling star Alan Morris. by \*Bunch, \*Newton.

**House Resolution No. 235** -- Memorials, Sports - 1999 Bradley Central High School wrestling team TSSAA state dual meet champion. by \*Bunch, \*Newton.

**House Resolution No. 236** -- Memorials, Sports - 2000 Bradley Central High School wrestling team, TSSAA state dual meet runner-up. by \*Bunch, \*Newton.

**House Resolution No. 237** -- Memorials, Sports - Adam Rains. by \*Bunch, \*Newton.

**House Resolution No. 238** -- Memorials, Sports - Bradley Central High School wrestling star Josh Keller. by \*Bunch, \*Newton.

**House Resolution No. 239** -- Memorials, Sports - Delana Burleson, star volleyball player. by \*White.

**House Resolution No. 240** -- Memorials, Recognition - Dwight Lewis. by \*Brown.

**House Resolution No. 242** -- Memorials, Interns - Deneil Marie Quinn. by \*Jones U (Shelby).

**House Joint Resolution No. 763** -- Memorials, Professional Achievement - Martha A. Burton, Metropolitan Nashville Public School System 2000-2001 Teacher of the Year. by \*West.

**House Joint Resolution No. 764** -- Memorials, Personal Occasion - Dr. and Mrs. Roderick N. Burton, 30th anniversary. by \*West.

**House Joint Resolution No. 765** -- Memorials, Interns - Jackie "Pepper" Petersen. by \*Brooks.

**House Joint Resolution No. 766** -- Memorials, Personal Occasion - Nannie Mae Smith Sisk, 90th birthday. by \*Fraleay.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

**House Joint Resolution No. 767** -- Memorials, Sports - 1999-2000 Lebanon High School boys' basketball team. by \*Bone.

**House Joint Resolution No. 769** -- Memorials, Interns - Joseph Landon Jaynes. by \*Hood, \*Bone, \*Sands.

**House Joint Resolution No. 770** -- Memorials, Death - Reverend Taylor Haun. by \*Davis (Cocke), \*Whitson.

**House Joint Resolution No. 771** -- Memorials, Public Service - Fred Clark. by \*Winningham, \*Buck.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 24, 2000:

**Senate Joint Resolution No. 857** -- Memorials, Interns - Amanda Jones. by \*Burchett.

**Senate Joint Resolution No. 858** -- Memorials, Interns - Jeffery Lloyd Osgood, Jr. by \*Kurita.

**Senate Joint Resolution No. 862** -- Memorials, Academic Achievement - Kimberly Rhodes, Salutatorian, Kingsbury High School. by \*Kyle.

**Senate Joint Resolution No. 863** -- Memorials, Academic Achievement - Angela Brown, Valedictorian, Trezevant High School. by \*Kyle.

**Senate Joint Resolution No. 864** -- Memorials, Academic Achievement - Fatima El-fayed, Valedictorian, Kingsbury High School. by \*Kyle.

**Senate Joint Resolution No. 869** -- Memorials, Retirement - Billy H. Thompson. by \*Miller J.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 2486** -- Tennessee Regulatory Authority - Revises method of appointing chair; revises length of term of chair. Amends TCA Title 65, Chapter 1, Part 2. by \*Haynes. (HB2780 by \*Hargrove, \*Naifeh, \*DeBerry L)

**\*Senate Bill No. 2802** -- Public Records - Allows any governmental agency to impose fee for production of electronic data or maps and papers generated through GIS project; requires such fee to reflect cost of agency in developing and maintaining the electronic data. Amends TCA Section 10-7-506. by \*Womack. (HB2677 by \*McDaniel)

**\*Senate Bill No. 2910** -- TennCare - Creates offenses of falsely obtaining medical assistance and providing false statement of medical condition or eligibility for insurance; Class E felonies; additional penalties of restitution, disqualification, and report to licensure board or department. Amends TCA Title 71, Chapter 5, Part 1. by \*Clabough, \*Crowe, \*Williams, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crutchfield, \*Davis L, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Springer, J, \*Wilder. (HB2471 by \*Wood, \*Walker (Rhea), \*Sharp, \*Bittle, \*Scroggs, \*Sargent, \*Mumpower, \*Hagood, \*Godsey, \*Beavers, \*Davis (Washington), \*Pleasant, \*Dunn, \*Montgomery, \*Hargett, \*Buttry, \*Newton, \*Patton, \*Bunch, \*Goins, \*Baird, \*Boyer, \*Black, \*Todd, \*Eckles, \*Ford S)

**Senate Bill No. 3106** -- Custody and Support - Makes various changes to provisions governing determination of paternity; child support payments; child support collection and enforcement; termination and modification of support orders; and transfer of child support and custody cases Amends TCA Titles 8, 16, 17, 18, 24, 36, 37, 45, 50, 68 and Title 71. by \*Person. (\*HB3034 by \*Scroggs)

## **REPORTS FROM STANDING COMMITTEES**

The committees that met on **May 22, 2000**, reported the following:

### **HEALTH AND HUMAN RESOURCES**

The Health and Human Resources Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3035 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **CONSENT CALENDAR**

**House Bill No. 2444** -- Sunset Laws - Occupational safety and health review commission, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 3. by \*Kernell, \*Garrett, \*Brooks. (\*SB2260 by \*Springer, P, \*Burchett, \*Harper)

On motion, House Bill No. 2444 was made to conform with **Senate Bill No. 2260**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2436** -- Sunset Laws - OSHA labor advisory council, June 30, 2004. Amends TCA Title 4, Chapter 29, and Title 50, Chapter 3. by \*Kernell, \*Garrett, \*Brooks. (\*SB2090 by \*Springer, P, \*Burchett, \*Harper)

On motion, House Bill No. 2436 was made to conform with **Senate Bill No. 2090**; the Senate Bill was substituted for the House Bill.

**\*House Joint Resolution No. 743** -- Memorials, Congress - Opposes proposed congressional increase to five years of moratorium on state and local sales and use taxation of electronic commerce. by \*Bowers.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

**House Bill No. 3302** -- McNairy County - Subject to local approval, provides for hotel-motel tax. by \*Rinks. (SB3325 by \*Wilder)

**House Bill No. 3324** -- Houston County - Subject to local approval, enacts hotel/motel tax. by \*Ridgeway. (SB3302 by \*Kurita)

On motion, House Bill No. 3324 was made to conform with **Senate Bill No. 3302**; the Senate Bill was substituted for the House Bill.

**House Bill No. 3325** -- Erin - Subject to local approval, enacts hotel/motel tax. by \*Ridgeway. (SB3301 by \*Kurita)

On motion, House Bill No. 3325 was made to conform with **Senate Bill No. 3301**; the Senate Bill was substituted for the House Bill.

**House Bill No. 3328** -- Memphis - Subject to local approval, changes procedure for filling vacancies on board of education. Amends Chapter 30 of the Acts of 1868-1869; as amended. by \*Jones U (Shelby). (\*SB3309 by \*Dixon)

On motion, House Bill No. 3328 was made to conform with **Senate Bill No. 3309**; the Senate Bill was substituted for the House Bill.

**House Bill No. 3332** -- Dickson County - Subject to local approval, enacts "Dickson County Adequate Facilities Tax.". by \*Jackson. (SB3335 by \*Springer, J)

**House Bill No. 3333** -- Rives - Subject to local approval, modifies election date for offices of mayor and alderman to coincide with the August general election date. Amends Chapter 129 of the Private Acts of 1981, as amended. by \*Pinion. (SB3318 by \*Herron)

**House Bill No. 3335** -- Gainesboro - Subject to local approval, revises certain provisions of town charter. Amends Chapter 25 of the Acts of 1905; as amended. by \*Winningham. (SB3319 by \*Burks)

**House Bill No. 3336** -- Montgomery County - Subject to local approval, increases hotel/motel tax from 3 to 5 percent; adds four additional members to tourist commission. Amends Chapter 167 of the Private Acts of 1979. by \*McMillan. (SB3303 by \*Kurita)

On motion, House Bill No. 3336 was made to conform with **Senate Bill No. 3303**; the Senate Bill was substituted for the House Bill.

**House Bill No. 3337** -- Monroe County - Subject to local approval, revises authority for building permits fees Amends Chapter 82, of the Private Acts of 1965, as amended. by \*McKee, \*Gunnels. (SB3320 by \*Miller J)

**House Bill No. 3338** -- Maury County - Subject to local approval, establishes animal control board and its functions, including appointment of manager of animal control. Amends Chapter 62 of the Private Acts of 1977. by \*Sands. (SB3321 by \*Blackburn)

**House Bill No. 3339** -- Rutherford County - Subject to local approval, increases development tax from \$750 to \$1,500 per lot or unit. Amends Chapter 215 of the Private Acts of 1996; as amended. by \*Hood, \*Eckles, \*Beavers. (SB3314 by \*Womack)

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

**House Bill No. 3341** -- Kingston - Subject to local approval, establishes method for filling vacancy in office of vice mayor. Amends Chapter 328 of the Acts of 1903; as amended. by \*Ferguson. (SB3328 by \*Davis L)

**House Bill No. 3342** -- Kingston - Subject to local approval, removes requirement that voters approve the compensation of mayor and councilmen; specifies that compensation to be fixed by ordinance and effective upon final reading of ordinance. Amends Chapter 328 of the Acts of 1903; as amended. by \*Ferguson. (SB3329 by \*Davis L)

**House Bill No. 3343** -- Kingston - Subject to local approval, allows non-resident property owners to vote in city election if residents of Roane County. Amends Chapter 328 of the Acts of 1903; as amended. by \*Ferguson. (SB3330 by \*Davis L)

**House Bill No. 3344** -- Kingston - Subject to local approval, authorizes city officials to run for other city offices. Amends Chapter 328 of the Acts of 1903; as amended. by \*Ferguson. (SB3333 by \*Davis L)

**House Bill No. 3345** -- Kingston - Subject to local approval, revises charter provisions governing purchasing. Amends Chapter 328 of the Acts of 1903; as amended. by \*Ferguson. (SB3332 by \*Davis L)

**House Bill No. 3346** -- Kingston - Subject to local approval, authorizes city judge to impose civil penalty up to \$100. Amends Chapter 328 of the Acts of 1903; as amended. by \*Ferguson. (SB3331 by \*Davis L)

**House Bill No. 3347** -- Morristown - Subject to local approval, adds two at large members to city council with four year, staggered terms; revises qualifications of office. Amends Chapter 103 of the Acts of 1903; as amended. by \*Ford S. (SB3323 by \*Haun)

**House Bill No. 3348** -- Marshall County - Subject to local approval, enacts "Marshall County Adequate Facilities Tax.". by \*Fowlkes, \*Beavers. (SB3311 by \*Blackburn)

**House Bill No. 3349** -- Cumberland Gap - Subject to local approval, rewrites charter. Amends Chapter 210 of the Acts of 1907; as amended. by \*Goins.

**House Bill No. 3351** -- Morrison - Subject to local approval, revises election, oath of office and organization for the mayor and aldermen. Amends Chapter 244 of the Acts of 1905; as amended. by \*Rhinehart. (SB3338 by \*Cooper)

**House Bill No. 3352** -- Richard City - Authorizes Richard City and Deptford Independent School District to issue school bonds of up to \$4 million. Amends Chapter 93 of the Private Acts of 1920. by \*Rhinehart. (SB3340 by \*Elsa)

**House Bill No. 3353** -- Cheatham County - Subject to local approval, authorizes legislative body to set or amend percentage of tax to be paid prior to recordation of plat with balance being paid when building permit is issued. Amends Chapter 28 of the Private Acts of 1997. by \*Williams (Williamson), \*Davidson. (SB3308 by \*Kurita)

On motion, House Bill No. 3353 was made to conform with **Senate Bill No. 3308**; the Senate Bill was substituted for the House Bill.



**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

**House Resolution No. 228** -- Memorials, Interns - Susan Toombs. by \*Eckles.

**House Resolution No. 229** -- Memorials, Recognition - Ashland City Volunteer Fire Department. by \*Williams (Williamson).

**House Joint Resolution No. 756** -- Memorials, Interns - Lori Peterson. by \*Ridgeway, \*Odom, \*Brown.

**House Joint Resolution No. 757** -- Memorials, Interns - Amanda Jones. by \*Buttry.

**House Joint Resolution No. 758** -- Memorials, Professional Achievement - Gail Martin, All Tennessee School Board Member. by \*Caldwell.

**House Joint Resolution No. 761** -- Memorials, Retirement - Mary John Chaffin. by \*Hargrove.

**House Joint Resolution No. 762** -- Memorials, Interns - Vakeita Terese Barrett. by \*Turner (Shelby), \*Miller L.

**Senate Joint Resolution No. 854** -- Memorials, Recognition - Jimmy Carroll Glass, Pastor, Schoolfield United Methodist Church. by \*Kyle.

**Senate Joint Resolution No. 824** -- Memorials, Interns - Holly Salmons. by \*Haun, \*Womack, \*Davis L.

**Senate Joint Resolution No. 836** -- Memorials, Retirement - Janice L. Sorsby. by \*Cohen.

**Senate Joint Resolution No. 837** -- Memorials, Academic Achievement - Branden Witt, Valedictorian, Friendship Christian High School. by \*Rochelle.

**Senate Joint Resolution No. 838** -- Memorials, Academic Achievement - Julie Kieffer, Salutatorian, Friendship Christian High School. by \*Rochelle.

**Senate Joint Resolution No. 839** -- Memorials, Academic Achievement - Kristi Handley, Valedictorian, Mt. Juliet High School. by \*Rochelle.

**Senate Joint Resolution No. 840** -- Memorials, Academic Achievement - Scott Seaton, Salutatorian, Mt. Juliet High School. by \*Rochelle.

**Senate Joint Resolution No. 841** -- Memorials, Academic Achievement - Tyler Brown, Salutatorian, Maryville High School. by \*Clabough.

**Senate Joint Resolution No. 843** -- Memorials, Interns - Allison McCanless. by \*Wilder.

**Senate Joint Resolution No. 844** -- Memorials, Death - Troy W. Tomlin. by \*Wilder.

**Senate Joint Resolution No. 846** -- Memorials, Public Service - Dean Stone. by \*Clabough.

**Senate Joint Resolution No. 848** -- Memorials, Interns - Cristy Cooper. by \*Graves, \*Herron.

**Senate Joint Resolution No. 850** -- Memorials, Public Service - Francis Biggs, "Madison Station Conductor of the Year.". by \*Haynes.

**Senate Joint Resolution No. 851** -- Memorials, Personal Achievement - Douglas G. Odom, Jr., "Senior of the Year". by \*Haynes.

**Senate Joint Resolution No. 852** -- Memorials, Interns - Junaid Odubeko. by \*Haynes.

**Senate Joint Resolution No. 853** -- Memorials, Death - Charles Worley, Jr. by \*Ramsey, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J., \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, J., \*Wilder, \*Williams, \*Womack.

Rep. Mumpower moved that all members voting aye on Senate Joint Resolution No. 853 be added as sponsors, which motion prevailed.

#### OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

**House Joint Resolution No. 743:** by Rep. Bowers

**House Bill No. 3343:** by Rep. U. Jones

Under the rules, House Joint Resolution(s) No(s). 743 and House Bill(s) No(s). 3343 was/were placed at the foot of the calendar for May 24, 2000.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	87
Noes .....	4
Present and not voting .....	3

## MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kemell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Baird, Bowers, Miller, Towns -- 4.

Representatives present and not voting were: DeBerry J., West, Windle -- 3.

A motion to reconsider was tabled.

### REGULAR CALENDAR

**House Bill No. 1264** -- Education - Requires school superintendents convicted of felonies to be removed from office. Amends TCA Section 49-2-301. by \*Winningham, \*Boyer. (\*SB1267 by \*Springer, P)

Further consideration of House Bill No. 1264 previously considered on May 26, 1999, February 2, 2000, March 8, 2000, March 9, 2000, April 10, 2000 and May 8, 2000, at which time it was reset for today's Calendar.

**House Bill No. 1242** -- Education - Authorizes local boards of education to maintain records of proceedings of board in electronic format. Amends TCA Section 49-2-301. by \*Winningham, \*Boyer. (\*SB1322 by \*Williams)

Further consideration of House Bill No. 1242 previously considered on May 26, 1999, February 2, 2000, March 8, 2000, March 9, 2000, April 10, 2000 and May 8, 2000, at which time it was reset for today's Calendar.

Rep. Buck moved that House Bill(s) No(s). 1264 and 1242 be reset for the Regular Calendar on June 28, 2000, which motion prevailed.

### RULES SUSPENDED

Rep. Eckles moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 768 out of order, which motion prevailed.

**House Joint Resolution No. 768** -- Memorials, Academic Achievement - 2000 Nissan Neighbors Good Citizen Scholarship Recipients. by \*Eckles, \*Hood, \*Beavers.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Eckles, the resolution was adopted.

A motion to reconsider was tabled.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2025** -- Traffic Safety - Allows local boards of education to set longer period for school speed zones around schools. Amends TCA Section 55-8-152. by \*Bunch, \*Newton. (SB2226 by \*Miller J)

Further consideration of House Bill No. 2025 previously considered on May 1, 2000, at which time it was reset for today's Calendar.

Rep. Bunch moved that House Bill No. 2025 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2025 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-152(d), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1)(A) Except as provided for certain counties in subdivision (d)(2), counties and municipalities are authorized to establish special speed limits upon any highway or public road of this state within their jurisdiction, except at school entrances and exits to and from controlled access highways on the system of state highways, which is adjacent to school grounds that are devoted primarily to normal school day activity. Such speed limit shall be enacted based on an engineering investigation, shall not be less than fifteen miles per hour (15 mph) and shall be in effect only when proper signs are posted with a warning flasher or flashers in operation and only while children are actually present.

(B) In any county or municipality where the local legislative body does not establish special speed limits as provided for above, any person who shall drive at a speed exceeding fifteen miles per hour (15 mph) when passing a school during a recess period when a warning flasher or flashers are in operation, or during a period of ninety (90) minutes before the opening hour of a school or a period of ninety (90) minutes after the closing hour of a school, while children are actually going to or leaving school, shall be prima facie guilty of reckless driving.

(C) The department of transportation has the authority to establish such special speed limits at school entrances and exits to and from controlled access highways on the system of state highways.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Bunch moved that **House Bill No. 2025**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 91  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**House Bill No. 2835** -- Hospitals and Health Care Facilities - Prohibits assessment of civil penalty against nursing home for action that physician determined to be medically necessary Amends TCA Title 68, Chapter 11, Part 2 and Part 8. by \*Walley. (\*SB2312 by \*Cooper)

Further consideration of House Bill No. 2835 previously considered on May 5, 2000 and May 17, 2000, at which time the House adopted Amendment(s) No(s). 1 and reset the bill for today's Calendar.

Rep. Walley moved that **House Bill No. 2835**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 2632** -- Debtor Creditor Relations - Allows judgment creditor to serve interrogatories limited to issues relative to recovery of assets on third party whom such creditor believes possesses property of judgment debtor. Amends TCA Title 29. by \*Buck. (\*SB2804 by \*Person)

Further consideration of House Bill No. 2632 previously considered on May 15, 2000 and May 17, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 2632 was made to conform with **Senate Bill No. 2804**; the Senate Bill was substituted for the House Bill.

Rep. Buck moved that Senate Bill No. 2804 be passed on third and final consideration.

Rep. Buck moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Odom moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 2804 By deleting the effective date section and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Title 29, is amended by adding Sections 3 through 6 of this act as a new chapter, to be appropriately designated.

SECTION 3. As used in this act:

(1) "Treatment decision" means a medical decision by a behavioral health organization (hereinafter referred to as "BHO"), a health maintenance organization (hereinafter referred to as "HMO"), or the medical director of a BHO or HMO regarding the access given to a patient to health care services, procedures, and facilities. "Treatment decision" includes any decision to delay, deny, terminate or otherwise limit a patient's access to a health care service, procedure, or facility, including those resulting from utilization review.

(2) "Treatment policy" means a policy or set of criteria used by a BHO or HMO or the medical director of a BHO or HMO in making treatment decisions to determine whether a specific patient should be given access to a specific health care service, treatment, or facility.

(3) "Utilization review" has the meaning given it in Tennessee Code Annotated, Section 56-6-703(4).

SECTION 4.

(a) A BHO or HMO shall designate a licensed physician to serve as its medical director. The medical director shall be a physician licensed to practice medicine under Tennessee Code Annotated, Section 63-6-201. A medical director is subject to all forms of disciplinary action and penalties specified in Tennessee Code Annotated, Title 63, Chapter 6, Part 2. A medical director shall be responsible for all treatment decisions and policies, protocols, quality assurance programs, and utilization review decisions of a BHO or HMO. The treatment decisions and policies, protocols, quality assurance programs, and utilization review decisions shall be based upon the higher of generally accepted standards of health care practice among BHOs or HMOs or generally accepted standards of health care practice in the medical community.

(b) A medical director has the duty to exercise ordinary and reasonable care in being responsible for all treatment decisions and treatment policies of a BHO or HMO and is liable for damages for harm to an enrollee if the damage is proximately caused by the medical director's failure to exercise ordinary and reasonable care.

SECTION 5.

(a) A BHO or HMO has the duty to exercise ordinary and reasonable care when making treatment decisions and applying treatment policies. A BHO or HMO is liable for damages for harm to an enrollee if the damage is proximately caused by its failure to exercise ordinary and reasonable care.

(b) A BHO or HMO is liable for damages for harm to an enrollee proximately caused by a treatment decision made by its employees, agents, contractors or representatives who are acting on behalf of the organization and over whom the organization has the right to exercise influence or control or has actually exercised influence or control that results in the failure to exercise ordinary care.

(c) Nothing in any law of this state that states that a BHO or HMO is not deemed to be practicing a healing art may be asserted as a defense in any action under this chapter by a BHO or HMO.

SECTION 6. (a) Nothing contained in this act shall be construed or interpreted as applying to the TennCare programs administered pursuant to waivers approved by the United States department of health and human services or to enrollees in the state sponsored health insurance plan for state employees.

(b) Nothing contained in this act shall be construed or interpreted as applying to enrollees in any health insurance plan sponsored by a county government or municipality for such local government's employees.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

SECTION 7. Section 1 of this act shall take effect upon becoming a law, the public welfare requiring it and all other provisions of this act shall take effect on January 1, 2001, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Odom moved the previous question, which motion failed by the following vote:

Ayes .....	58
Noes .....	29
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bone, Bowers, Briley, Brooks, Brown, Buck, Chumney, Cole (Dyer), Curtiss, Davidson, DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Hargett, Hargrove, Head, Hood, Jackson, Jones S., Jones U., Kisber, Lewis, Maddox, McDonald, McMillan, Miller, Newton, Odom, Phelan, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Stulce, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), West, White, Whitson, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Baird, Bittle, Black, Boyer, Bunch, Buttry, Cole (Carter), Davis (Cocke), Davis (Washington), Dunn, Ford, Godsey, Goins, Gunnels, Hagood, Harwell, Hassell, Kent, Kerr, McCord, McDaniel, Montgomery, Mumpower, Patton, Sargent, Scroggs, Todd, Walker, Wood -- 29.

Representatives present and not voting were: Tindell -- 1.

After further debate, Rep. Newton moved the previous question, which motion prevailed.

Rep. Buck moved that **Senate Bill No. 2804**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	87
Noes .....	7
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Bone, Bowers, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDonald, McKee, McMillan, Miller, Montgomery, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Black, Boyer, Davis (Washington), Hassell, McDaniel, Mumpower, Sargent -- 7.

Representatives present and not voting were: Walker -- 1.



A motion to reconsider was tabled.

**House Bill No. 2688** -- Custody and Support - Directs that any child support payment made to department of human services without coupon or necessary identifying information is delinquent and subject to enforcement remedies and, in commissioner's discretion, civil penalty may be imposed. Amends TCA Title 36, Chapter 5, Part 1. by \*Chumney, \*Maddox, \*DeBerry J, \*DeBerry L, \*Fowlkes, \*Brown, \*McMillan, \*Black, \*Patton, \*Scroggs, \*White, \*Williams (Williamson). (\*SB2398 by \*Kyle, \*Burks)

Further consideration of House Bill No. 2688 previously considered on May 15, 2000 and May 17, 2000, at which time it was reset for today's Calendar.

Rep. Scroggs moved that House Bill No. 2688 be reset for the Regular Calendar on May 30, 2000, which motion prevailed.

**House Bill No. 3180** -- Education - Requires department of safety to deny driver license or permit to student withdrawn from secondary school who has three unexcused absences while attending course leading to GED certificate. Amends TCA Section 49-6-3017 and Title 55, Chapter 50. by \*West. (\*SB3152 by \*Davis L)

#### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

#### REGULAR CALENDAR, CONTINUED

On motion, House Bill No. 3180 was made to conform with **Senate Bill No. 3152**; the Senate Bill was substituted for the House Bill.

Rep. West moved that Senate Bill No. 3152 be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. West moved that **Senate Bill No. 3152**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	89
Noes .....	3

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kerr, Kisber, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Kernell, Lewis, Turner (Shelby) -- 3.

A motion to reconsider was tabled.

**House Bill No. 2757** -- Civil Procedure - Deletes certain offenses from list of qualifying offenses for declaration of motor vehicle habitual offender; provides procedure for person previously declared MVHO based on certain offenses to petition court for immediate restoration of driving privileges. Amends TCA Title 55, Chapter 10, by \*Robinson. (\*SB2349 by \*Henry, \*Cohen, \*Dixon)

On motion, House Bill No. 2757 was made to conform with **Senate Bill No. 2349**; the Senate Bill was substituted for the House Bill.

Rep. Robinson moved that Senate Bill No. 2349 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Robinson moved that **Senate Bill No. 2349** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0
Present and not voting .....	2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Burity, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Chumney, Turner (Shelby) -- 2.

A motion to reconsider was tabled.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

**House Bill No. 3148** -- Medical Occupations - Adds two members to emergency medical services board; authorizes board to set amount of civil penalties for violations. Amends TCA Title 68, Chapter 140, Part 5. by \*Jones U (Shelby). (\*SB2612 by \*Cooper, \*Cohen, \*Cooper)

On motion, House Bill No. 3148 was made to conform with **Senate Bill No. 2612**; the Senate Bill was substituted for the House Bill.

Rep. U. Jones moved that Senate Bill No. 2612 be passed on third and final consideration.

Rep. Godsey moved that Senate Bill No. 2612 be reset for the Regular Calendar on June 12, 2000, which motion prevailed.

**House Bill No. 379** -- Sunset Laws - Board of examiners in psychology, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 63, Chapter 11. by \*Kernell, \*Garrett, \*Brooks. (\*SB98 by \*Springer, P)

On motion, House Bill No. 379 was made to conform with **Senate Bill No. 98**; the Senate Bill was substituted for the House Bill.

**BILL RE-REFERRED**

Rep. Kernell moved that Senate Bill No. 98 be re-referred to the House Finance, Ways and Means Committee, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2371** -- Bonding, Surety and Professional - Permits credit services businesses registered with department of commerce and insurance on 5/1/98, to post bond of \$10,000 instead of \$100,000. Amends TCA Section 47-18-1011. by \*Towns. (\*SB2046 by \*Dixon)

**\*House Bill No. 2984** -- Municipal Government - Requires industrial development boards authorized to create pilot leaseholds and payments in lieu of ad valorem taxes to submit biannual reports to local governments that detail compliance or noncompliance with pilot lease agreement and subsequent impact of revenues generated thereby. Amends TCA Section 7-53-305. by \*Towns. (SB3126 by \*Kyle)

Rep. Towns moved that House Bill(s) No(s). 2371 and 2984 be reset for the Regular Calendar on May 24, 2000, which motion prevailed.

**House Bill No. 2712** -- Forest and Forest Products - Imposes certain requirements on certain logging activities. Amends TCA Title 11, Chapter 4 and Title 69, Chapter 3. by \*Odom. (\*SB2850 by \*Cohen)

On motion, House Bill No. 2712 was made to conform with **Senate Bill No. 2850**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that Senate Bill No. 2850 be passed on third and final consideration.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

On motion, Rep. West withdrew Consumer and Employee Affairs Committee Amendment No. 1.

Rep. Odom moved that **Senate Bill No. 2850** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 2462** -- Workers' Compensation - Expands panel of physicians and surgeons as designated by employer to four instead of three, one of whom must be a doctor of chiropractic, if injury is back injury. Amends TCA Section 50-6-204, by \*Odom, \*Jones, S., \*West. (\*SB2709 by \*Cooper)

Rep. Hargett moved that House Bill No. 2462 be reset for the Regular Calendar on May 30, 2000, which motion prevailed.

**\*House Bill No. 775** -- Highways, Roads and Bridges - Includes S.R. 444 in Loudon County within scenic highway system Amends TCA Title 54, Chapter 17. by \*Odom, \*Gunnels. (SB961 by \*Miller J)

On motion, House Bill No. 775 was made to conform with **Senate Bill No. 961**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that Senate Bill No. 961 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Odom moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 961 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-17-114(a)(2)(R), is amended by inserting the language "including that portion of the Natchez Trace within any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census," after the language "Natchez Trace Parkway," and before the language "except for those portions".

SECTION 2. Tennessee Code Annotated, Section 54-17-115(a), is amended by deleting subdivision (1) in its entirety and by substituting instead the following:

(1) The exposed portion of buildings constructed or erected on property abutting on and located within one thousand feet (1000') of the nearest travel lane of a scenic highway shall not exceed a height of thirty-five feet (35') above the level of the nearest travel lane when the finished grade of the property is below the level of the nearest travel lane of the highway. The exposed portion of buildings constructed or erected on property abutting on and located within one thousand feet (1000') of the nearest travel lane of a scenic highway shall not exceed a height of thirty-five feet (35'), as measured from the finished ground elevation at any point around the building, when the finished grade of the property is at or above the level of the nearest travel lane of the highway. The height restrictions contained herein shall apply to all designated scenic highways within a county if the county contains a scenic highway designated as a Class II rural road pursuant to § 54-17-114(a)(2).

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Odom moved that **Senate Bill No. 961**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 417** -- DUI/DWI Offenses - Reduces from 15 to ten days time commissioner of safety has to make decision in case involving suspension of a driver license for DUI Amends TCA Title 55, Chapter 10. by \*Newton. (SB881 by \*Person, \*Atchley, \*Kurita)

On motion, House Bill No. 417 was made to conform with **Senate Bill No. 881**; the Senate Bill was substituted for the House Bill.

Rep. Newton moved that Senate Bill No. 881 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Newton moved that **Senate Bill No. 881** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	90
Noes .....	3
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Briley, Brooks, Turner (Shelby) -- 3.

Representatives present and not voting were: Towns -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 3002** -- Water - Enacts "Inter-basin Water Transfer Act." Amends TCA Title 69, Chapter 8 and Title 65, Chapter 27. by \*McAfee. (SB3074 by \*Ramsey, \*Crutchfield)

On motion, House Bill No. 3002 was made to conform with **Senate Bill No. 3074**; the Senate Bill was substituted for the House Bill.

Rep. McAfee moved that Senate Bill No. 3074 be passed on third and final consideration.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 1.

On motion, Rep. Ridgeway withdrew Conservation and Environment Committee Amendment No. 1 as House Amendment No. 2.

On motion, Rep. Ridgeway withdrew Conservation and Environment Committee Amendment No. 2 as House Amendment No. 3.

On motion, Rep. Head withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 4.

On motion, Rep. Head withdrew Finance, Ways and Means Committee Amendment No. 2 as House Amendment No. 5.

Rep. McAfee moved adoption of Amendment No. 6 as follows:

**Amendment No. 6**

AMEND Senate Bill No. 3074 by deleting the language "between river basins" and by substituting instead the language "out of a river basin".

On motion, Amendment No. 6 was adopted.

Rep. Kernell moved that Amendment No. 7 be withdrawn, which motion prevailed.

Rep. Turner (Hamilton) moved the previous question, which motion prevailed.

Rep. McAfee moved that **Senate Bill No. 3074**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

**House Bill No. 2320** -- Workers' Compensation - Changes date for triggering operation of direct assignment plan or of the competitive fund from 7/1/00 to 7/1/01; changes date for advisory council's report on assigned risk plan from 1/15/00 to 1/1/01. Amends TCA Title 38, Chapter 6; Title 50, Chapter 6; Title 50, Chapter 9; Title 50, Chapter 3; Title 56, Chapter 5 and Title 56, Chapter 47. by \*Kisber. (\*SB2381 by \*Clabough)

Further consideration of House Bill No. 2320 previously considered on May 1, 2000, at which time it was and reset for today's Calendar.

On motion, House Bill No. 2320 was made to conform with **Senate Bill No. 2381**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 2381 be passed on third and final consideration.

On motion, Rep. West withdrew Consumer and Employee Affairs Committee Amendment No. 1.

Rep. Kisber moved that **Senate Bill No. 2381** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 3065** -- Professions and Occupations - Enacts "Limited Licensed Electricians' Act of 2000." Amends TCA Title 62, Chapter 6; Title 68, Chapter 102 and Chapter 238 of the Public Acts of 1999. by \*Kisber. (\*SB2944 by \*Cooper)

On motion, House Bill No. 3065 was made to conform with **Senate Bill No. 2944**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 2944 be passed on third and final consideration.



Rep. Phelan moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2944 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-6-103, is amended by adding the following as a new, appropriately designated subsection:

( ) Notwithstanding the provisions of subdivision (a)(1), any single residence homeowner is exempt from the limited licensed electrician requirements of this chapter for purposes of performing electrical work on his own residence.

SECTION 2. Tennessee Code Annotated, Section 62-6-111, is amended in subdivision (j)(1)(A) by deleting the words and punctuation "September 1, 1999" wherever they appear and by substituting instead the words and punctuation "September 1, 2000".

SECTION 3. Tennessee Code Annotated, Section 62-6-111, is further amended in subdivision (j)(1)(C) by deleting the words and punctuation "September 1, 1999" wherever they appear and by substituting instead the words and punctuation "September 1, 2000".

SECTION 4. Tennessee Code Annotated, Section 62-6-111, is further amended by deleting the text of subdivision (j)(2) and substituting instead the following language:

Applications for a license under the provisions of subdivisions (j)(1)(A), (B) or (C) shall be filed with the board by July 1, 2001. If a license issued to a limited licensed electrician pursuant to the provisions of subdivisions (j)(1)(A), (B) or (C) is not periodically renewed as provided by this chapter, then such limited licensed electrician shall be eligible for a license only after the satisfactory completion of the examination required by the board for initial applications.

SECTION 5. Tennessee Code Annotated, Section 62-6-111, is further amended in subdivision (j)(4) by deleting the words and punctuation "shall be registered pursuant to Section 68-102-150,".

SECTION 6. Tennessee Code Annotated, Section 62-6-111, is further amended in subdivision (j)(6) by deleting the words and punctuation "a registration card from the state fire marshal as required by Section 68-102-150 and".

SECTION 7. Tennessee Code Annotated, Section 62-6-111, is further amended by deleting subdivision (j)(7) in its entirety and renumbering subsequent subdivisions accordingly.

SECTION 8. Tennessee Code Annotated, Section 62-6-111, is further amended in subdivision (j)(8) by deleting the words and punctuation "and the state fire marshal, either of whom" and by adding the word "which" after the words "state board for licensing contractors".

SECTION 9. Tennessee Code Annotated, Section 62-6-111, is further amended by deleting the text of subdivision (j)(9) and by substituting instead the following language:

The board for licensing contractors may revoke or suspend the license of a limited licensed electrician for faulty electrical work performed by such licensee.

SECTION 10. Tennessee Code Annotated, Section 62-6-111, is further amended by deleting the language of subdivision (j)(11) and by substituting instead the following language:

The state fire marshal and board for licensing contractors shall formulate a system for inspectors to report to the board any problems they may encounter with the workmanship of a limited licensed electrician.

SECTION 11. Tennessee Code Annotated, Section 62-6-111, is further amended by adding the following as a new, appropriately designated subsection:

( ) Any person who holds a current, unexpired license as a limited licensed electrician issued by the board shall be deemed to have met the registration requirements of §68-102-150.

SECTION 12. Tennessee Code Annotated, Section 62-6-130, is amended by inserting after the last word "contractor" in the third sentence the words "unless the limited licensed electrician also holds a valid contractor's license issued by the board".

SECTION 13. Tennessee Code Annotated, Section 62-6-131, is amended by adding the following as a new, appropriately designated subsection:

( ) In no event shall the fee for an initial limited licensed electrician license exceed seventy-five dollars (\$75.00) per year nor shall the fee for a renewal of such license exceed fifty dollars (\$50.00) per year.

SECTION 14. Tennessee Code Annotated, Title 62, Chapter 6, Part 1, is amended by adding the following language as a new Section 62-6-132:

Section \_\_\_\_\_. No person shall be required to register with the state fire marshal nor obtain a license from the board for licensing contractors to inspect temporary electrical service.

SECTION 15. For purposes of rulemaking, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2001, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Kisber moved that **Senate Bill No. 2944**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**"House Joint Resolution No. 499** -- Highway Signs - "Corporal Terry Lee Dillard Memorial Bridge," Spring Creek on S.R. 141 in Wilson County. by \*Bone.

Rep. Bone moved adoption of House Joint Resolution No. 499.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Joint Resolution No. 499 By adding the following new, resolving clause immediately preceding the final resolving clause:

BE IT FURTHER RESOLVED, That the signs provided for by this resolution shall be erected only if the department receives adequate funds from non-state sources to defray the expense of fabricating and erecting such signs within one (1) year of the passage of this resolution. Contributions may be made by any person or entity interested in this project and shall be remitted as provided by the department.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Bone moved that **House Joint Resolution No. 499**, as amended, be adopted, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 3025** -- Parks, Natural Areas Preservation - Abolishes free use of state golf courses by senior citizens; ends free hunting and fishing for disabled persons; revokes discounted camping fees for state employees, disabled persons, and senior citizens; removes provision granting Tennessee national guard members same state park benefits that state employees receive Amends TCA Title 11, Chapter 3. by \*McAfee. (SB3097 by \*Ramsey)

Rep. McAfee moved that House Bill No. 3025 be passed on third and final consideration.

Rep. Ridgeway moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 3025 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 2. Tennessee Code Annotated, Title 11, Chapter 3, Part 1, is amended by adding the following new appropriately designated section:

\_\_\_\_. The commissioner shall offer discounted rates for activities at the state parks to senior citizens, disabled persons, state employees, members of the Tennessee National Guard, and any other group that the commissioner deems appropriate for such treatment. The specific activities where these discounts would apply as well as the timing and amount will be left to the commissioner's discretion.

On motion, Conservation and Environment Committee Amendment No. 1 was adopted.

Rep. McAfee requested that House Bill No. 3025 be moved to the heel of the Calendar.

**\*House Bill No. 3241** -- Insurance, Health, Accident - Prohibits wrongful declination of accident and health coverage; establishes guidelines. Amends TCA Title 56. by \*Scroggs. (SB3237 by \*McNally, \*Blackburn, \*Kurita)

On motion, House Bill No. 3241 was made to conform with **Senate Bill No. 3237**; the Senate Bill was substituted for the House Bill.

Rep. Scroggs moved that Senate Bill No. 3237 be passed on third and final consideration.

On motion, Rep. Phelan withdrew Commerce Committee Amendment No. 1.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Scroggs moved that **Senate Bill No. 3237** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	88
Noes .....	0
Present and not voting .....	6

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kemell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives present and not voting were: Briley, Brooks, Brown, Cooper, Givens, Miller -- 6.

A motion to reconsider was tabled.

**House Bill No. 2862** -- Criminal Offenses - Creates offenses of manufacturing, selling or possessing with intent to sell unauthorized reproduction of product or service that bears or is identified by trademark, logo or label or affixing counterfeit trademark, logo or label to product or service. Amends TCA Title 39, Chapter 14, Part 1. by \*McMillan, \*Buck, \*Westmoreland, \*Jackson, \*Newton, \*White, \*Sands. (\*SB2668 by \*Kyle)

Rep. McMillan moved that House Bill No. 2862 be passed on third and final consideration.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2862 by deleting subsection (d)(1) of Section 39-14-1\_\_\_ of the amendatory language of SECTION 1 and substituting instead the following:

(1) A violation of subsection (b)(1) shall be punished the same as is provided in § 39-14-115 for the offense of criminal simulation. In addition to such punishment, a person who violates subsection (b)(1) shall be fined an amount up to three (3) times the retail value of the items bearing, or services identified by, a counterfeit mark, or the amount authorized in § 40-35-111 for the appropriate class of felony, whichever amount is greater.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. McMillan moved that **House Bill No. 2862**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 2364** – Taxes, Litigation - Allows counties by a 2/3 vote to impose an additional litigation tax, up to \$10.00, for jail or workhouse construction or improvements. Amends TCA Title 67, Chapter 4, Part 6. by \*Curtiss, \*Ferguson. (\*SB2140 by \*Davis L)

Rep. Curtiss requested that House Bill No. 2364 be moved to the heel of the Calendar.

**House Bill No. 2471** -- TennCare - Creates offenses of falsely obtaining medical assistance and providing false statement of medical condition or eligibility for insurance; Class E felonies; additional penalties of restitution, disqualification, and report to licensure board or department. Amends TCA Title 71, Chapter 5, Part 1. by \*Wood, \*Walker (Rhea), \*Sharp, \*Bittle, \*Scroggs, \*Sargent, \*Mumpower, \*Hagood, \*Godsey, \*Beavers, \*Davis (Washington), \*Pleasant, \*Dunn, \*Montgomery, \*Hargett, \*Buttry, \*Newton, \*Patton, \*Bunch, \*Goins, \*Baird, \*Boyer, \*Black, \*Todd, \*Eckles, \*Ford S. (\*SB2910 by \*Clabough, \*Crowe, \*Williams, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crutchfield, \*Davis L, \*Elsa, \*Ford J, \*Fowler, \*Graves, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Springer, J, \*Wilder)

On motion, House Bill No. 2471 was made to conform with **Senate Bill No. 2910**; the Senate Bill was substituted for the House Bill.

Rep. Wood moved that Senate Bill No. 2910 be passed on third and final consideration.

On motion, Rep. Phelan withdrew Commerce Committee Amendment No. 1.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 2910 by adding the language "including a vendor," after the language "or any other entity," and before the words "other than an" in the first sentence of the amendatory language of (b)(2)(A) of Section 1 of the bill as amended.

AND FURTHER AMEND by adding the following new subsection at the end of Section 1 of the bill as amended:

(e) In addition to any other remedy available, including those provided in this section, the state may recover from any person or their estate, or from a firm, corporation, partnership or other entity, including a vendor, the amount of medical assistance benefits or payments improperly paid as a result of fraudulent means or actions not authorized by this part.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Eckles moved the previous question, which motion prevailed.

Rep. Wood moved that **Senate Bill No. 2910**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes .....	0
Present and not voting .....	3

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Cooper, Kernell, Towns -- 3.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 591** -- Highway Signs - "Andy Shoun Memorial Bridge," spanning Dugger Branch on S.R. 91, Carter County. by \*Cole (Carter), \*Kent.

Rep. Cole (Carter) moved that House Joint Resolution No. 591 be adopted.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Joint Resolution No. 591 By adding the following new, resolving clause immediately preceding the final resolving clause:

BE IT FURTHER RESOLVED, That the signs or markers provided for by this resolution shall be erected only if the department receives adequate funds from non-state sources to defray the expense of fabricating and erecting such signs or markers within one (1) year of the passage of this resolution. Contributions may be made by any person or entity interested in this project and shall be remitted as provided by the department.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Cole (Carter) moved that **House Joint Resolution No. 591**, as amended, be adopted, which motion prevailed by the following vote:

Ayes..... 96  
Noes ..... 0



Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 593** -- Highway Signs - "Earl Graham Bridge," Hinkle Branch, Carter Co. by \*Cole (Carter), \*Kent.

Rep. Cole (Carter) moved that House Joint Resolution No. 593 be adopted.

Rep. Head moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Joint Resolution No. 593 by adding the following new, resolving clause immediately preceding the final resolving clause:

BE IT FURTHER RESOLVED, That the signs or markers provided for by this resolution shall be erected only if the department receives adequate funds from non-state sources to defray the expense of fabricating and erecting such signs or markers within one (1) year of the passage of this resolution. Contributions may be made by any person or entity interested in this project and shall be remitted as provided by the department.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Cole (Carter) moved that **House Joint Resolution No. 593**, as amended, be adopted, which motion prevailed by the following vote:

Ayes..... 96  
Noes ..... 0

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 25** -- Pensions and Retirement Benefits - Corrects "council on pensions and retirement" to "council on pensions and insurance." Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37. by \*Rhinehart, \*Head. (SB37 by \*Atchley, \*McNally)

Rep. Head moved that House Bill No. 25 be reset for the Regular Calendar on May 24, 2000, which motion prevailed.

**\*House Bill No. 2296** -- Custody and Support - Establishes license suspension and revocation as enforcement mechanism to ensure compliance with custody visitation order; establishes procedures, notice, and hearings; sets licensure agency duties. Amends TCA Title 36, Chapter 6. by \*Patton. (SB2645 by \*Fowler)

Rep. Patton moved that House Bill No. 2296 be reset for the Regular Calendar on May 24, 2000, which motion prevailed.

**\*House Bill No. 2111** -- Limitation of Actions - Adds nonsuit to reversal and arrest as to situations when plaintiff may commence new action under certain circumstances. Amends TCA Section 28-1-105. by \*Buck. (SB2889 by \*Person)

Further consideration of House Bill No. 2111 previously considered on May 18, 2000, at which time it was reset for today's Calendar.

Rep. Buck moved that House Bill No. 2111 be reset for the Regular Calendar on May 24, 2000, which motion prevailed.

**\*House Bill No. 3025** -- Parks, Natural Areas Preservation - Abolishes free use of state golf courses by senior citizens; ends free hunting and fishing for disabled persons; revokes discounted camping fees for state employees, disabled persons, and senior citizens; removes provision granting Tennessee national guard members same state park benefits that state employees receive Amends TCA Title 11, Chapter 3. by \*McAfee. (SB3097 by \*Ramsey)

Further consideration of House Bill No. 3025 previously considered on today's Calendar at which time the House adopted Amendment(s) No(s). 1.

Rep. McAfee moved that House Bill No. 3025, as amended, be passed on third and final consideration.

Rep. Head moved that House Bill No. 3025 be reset for the Regular Calendar on May 24, 2000, which motion prevailed.

**House Bill No. 2364** -- Taxes, Litigation - Allows counties by a 2/3 vote to impose an additional litigation tax, up to \$10.00, for jail or workhouse construction or improvements. Amends TCA Title 67, Chapter 4, Part 6. by \*Curtiss, \*Ferguson. (\*SB2140 by \*Davis L)

Further consideration of House Bill No. 2364 previously considered on today's Calendar.

On motion, House Bill No. 2364 was made to conform with **Senate Bill No. 2140**; the Senate Bill was substituted for the House Bill.

Rep. Curtiss moved that Senate Bill No. 2140 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Curtiss moved adoption of Amendment No. 2 as follows:

#### **Amendment No. 2**

AMEND House Bill No. 2364 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-4-601, is amended by redesignating the present section to be subsection (a) and by adding a new subsection (b) as follows:

(b)(1) Notwithstanding any other law to the contrary, each county by resolution of its legislative body, adopted by two-thirds (2/3) majority vote, may levy a privilege tax on litigation in all civil and criminal cases instituted in the county, other than those instituted in municipal courts, in addition to all other such privilege taxes authorized by law. Any tax levy adopted under this subsection shall not exceed ten dollars (\$10.00) per case and the proceeds shall be used exclusively for purposes of jail or workhouse construction, re-construction or upgrading, or to retire debt, including principal and interest and related expenses, for same.

(2) Any tax levy adopted under this section shall only be effective until such time as all expenses of the construction, reconstruction or upgrading project have been paid or until such time as the debt for such project has been retired. For the purposes of this subsection, debt shall include principal, interest, origination costs and related expenses as well as any debt issued for the purposes of re-financing the original indebtedness.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Curtiss moved adoption of Amendment No. 1 to Amendment No. 2 as follows:

**Amendment No. 1 to 2**

AMEND Amendment No. 2 by deleting from the amendatory language in subdivision (b)(2) of Section 1 the language "Any tax levy adopted under this section" and by substituting instead the language "Any tax levy adopted under this subsection".

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

Rep. Head moved adoption of Amendment No. 2 to Amendment No. 2 as follows:

**Amendment No. 2 to 2**

AMEND Amendment No. 2 by adding the following as a new subdivision in subsection (b) of the amendatory language in Section 1:

( ) Notwithstanding any other law to the contrary, the state of Tennessee shall not be liable for or pay the tax levied under this subsection in any civil or criminal case on behalf of any individual because such individual is indigent.

On motion, Amendment No. 2 to Amendment No. 2 was adopted.

Rep. Curtiss moved that Amendment No. 2 as amended, be adopted which motion prevailed.

Rep. Bunch moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 2364 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_ Tennessee Code Annotated, Section 67-4-601, is amended by adding the following new subdivision to subsection (b):

Notwithstanding any provision of law to the contrary, the provisions of this act shall not apply to any publicly owned hospital in any county having a population of not less than seventy-three thousand six hundred (73,600) and not more than seventy-three thousand nine hundred (73,900) if the county commission for such county by majority vote provides that any such hospital shall be exempt.

On motion, Amendment No. 3 was adopted.

Rep. McDonald moved the previous question, which motion prevailed.

Rep. Curtiss moved that **Senate Bill No. 2140**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	86
Noes .....	2
Present and not voting .....	5

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 86.

Representatives voting no were: Baird, Goins -- 2.

Representatives present and not voting were: Brooks, Brown, Jones U., Todd, Turner (Shelby) -- 5.

A motion to reconsider was tabled.

## MESSAGE CALENDAR

### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 1059** -- Consumer Protection - Makes loans secured by owner-occupied residences subject to certain conditions. Amends TCA Title 47, Chapter 18. by \*Brown, \*Turner (Shelby), \*Brooks. (\*SB1151 by \*Crutchfield)

Rep. Brown moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 1059, which motion was immediately withdrawn.

**Senate Amendment No. 2**

AMEND House Bill No. 1059 By deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 24, is amended by adding the following as a new section:

Section 47-18-2404. (a)(1) Any solicitation to lend money to a person for the consolidation or payment of other indebtedness which will result in that person's owner-occupied residence becoming collateral or security for the loan or payment of money shall clearly state, in bold type at least as large as any used in the solicitation otherwise, or by a separate clearly stated written notice, in at least 10-point typeface, the following:

**(A) Failure to make timely payments or to repay the loan will result in the borrower's home being subject to foreclosure.**

**(B) Additional information on debt consolidation loans is available from the Tennessee Department of Commerce & Insurance, Division of Consumer Affairs at 1-800-342-8385.**

(2) Such solicitation shall, in like manner, state either one of the following, as appropriate:

**(A) It is the obligation of the lender to make payments to prior lenders; or**

**(B) It is the obligation of the borrower to make payments to prior lenders.**

(b) The provisions of this section shall apply to all solicitations, whether made through the mails, in person, by telephone, fax, or electronically, or through any other agency or medium to a resident of Tennessee.

(c) Failure to comply with the provisions of this section shall render the contract, lien, or security unenforceable.

(d) The notices and obligations described in subsection (a) shall be clearly expressed in any debt consolidation contract or loan agreement consolidating such loans.

(e) The provisions of this section shall not apply to any state or national bank, credit union, savings and loan or industrial loan and thrift company, or to any subsidiary or affiliate of any such state or national bank, credit union, savings and loan or industrial loan and thrift company.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Brown moved that the House nonconcur in Senate Amendment(s) No(s). 2 to **House Bill No. 1059**, which motion prevailed.

**Senate Amendment No. 1**

AMEND House Bill No. 1059 By deleting from amendatory Section 47-18-2404(a)(1) in Section 1 the language "if the solicitation is made verbally,".

Rep. Brown moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 1059**, which motion prevailed by the following vote:

Ayes ..... 93  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE AMENDMENTS**

**\*House Bill No. 1326** -- Children - Establishes birth defects registry. Amends TCA Title 68, Chapter 5, Part 5. by \*Eckles, \*Caldwell, \*Davidson, \*Hood, \*Bone, \*Robinson, \*Walley, \*McDonald, \*Fowlkes, \*Williams (Williamson), \*Head, \*Kisber, \*McMillan, \*Hargrove, \*Armstrong, \*Turner (Hamilton), \*Curtiss, \*Rhinehart, \*Hagood, \*Harwell, \*Godsey, \*Mumpower, \*White, \*Fraley, \*Ridgeway, \*Maddox, \*Fitzhugh, \*Jackson, \*Tidwell, \*DeBerry L., \*Bowers, \*Pruitt, \*Langster, \*Cooper B, \*Towns, \*Hassell, \*Chumney. (SB1678 by \*Harper, \*Herron, \*Crowe, \*Kurita, \*Williams)

**Senate Amendment No. 1**

AMEND House Bill No. 1326 By adding the following language as a new subdivision (4) to subsection (3) of the amendatory language of Section 1:

(4) (A) Any individual who willfully discloses information made confidential by this section, unless permitted to do so by subdivisions (1) and (3), has committed a Class E felony.

(B) Any individual who negligently discloses information made confidential by this section, unless permitted to do so by subdivisions (1) and (3), has committed a Class A misdemeanor.

Rep. Eckles moved that the House nonconcur in Senate Amendment(s) No(s). 1 to House Bill No. 1326, which motion prevailed.

**Senate Amendment No. 5**

AMEND House Bill No. 1326 by deleting the effective date section and by substituting instead the following as a new effective date section at the end of the bill:

SECTION \_\_\_\_\_. This act shall take effect on July 1, 2000, the public welfare requiring it.

**Senate Amendment No. 6**

AMEND House Bill No. 1326 by adding a new sentence between the third and fourth sentences in (b)(3) as follows:

The department will develop and disseminate information about the birth defects registry to the participating perinatal centers that will be made available to the family which explains and describes the purpose and process of the registry and how confidentiality will be protected.

**Senate Amendment No. 7**

AMEND House Bill No. 1326 by deleting in Section 1(d) of the printed bill as amended the words "of poor reproductive outcomes".

Rep. Eckles moved that the House concur in Senate Amendment(s) No(s). 5, 6 and 7 to House Bill No. 1326, which motion prevailed by the following vote:

Ayes..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.



A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGE**

**\*House Bill No. 2012** -- Transportation, Dept. of - Allows former property owner, as well as adjoining property owners, to have right to purchase property designated as surplus by department. Amends TCA Section 12-2-112. by \*Whitson. (SB2060 by \*Haun, \*Williams)

Rep. Whitson moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 2 to House Bill No. 2012, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED  
ON HOUSE BILL NO. 2012**

Pursuant to **Rule No. 73**, Representative Whitson moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 2012, which motion prevailed.

The Speaker appointed Representatives Whitson, Odom and White as the House members of the Conference Committee on House Bill No. 2012.

**HOUSE ACTION ON SENATE MESSAGE**

**\*House Bill No. 2123** -- Courts, General Sessions - Directs administrative office of the courts, in consultation with the court clerks' association, sheriffs' association and chiefs of police, to devise and promulgate uniform general sessions court warrant. Amends TCA Title 16, Chapter 15, Part 50. by \*Buck. (SB2885 by \*Person)

Rep. Buck moved that House Bill No. 2123 be reset for the Message Calendar on May 24, 2000, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 2169** -- Law Enforcement - Revises formula for allocating proceeds from mandatory minimum fines imposed for drug offenses so that first 40 percent of any fine collected goes to jurisdiction initiating arrest for deposit in its special revenue fund Amends TCA Section 39-17-428. by \*Sands. (\*SB2114 by \*McNally)

On motion, House Bill No. 2169 was reset for the Message Calendar on May 24, 2000, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2503** -- Garnishments and Executions - Requires clerk to issue multiple garnishments and executions upon request of plaintiff Amends TCA Section 26-1-207. by \*Bunch. (\*SB2780 by \*Fowler)

**Senate Amendment No. 2**

AMEND House Bill No. 2503 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. (a) Notwithstanding any other provision of law or rule to the contrary, a writ of garnishment that is filed later in time than another such writ, and which deducts the maximum amount allowable by law from the debtor's wages, shall not run concurrently with the earlier filed writ with regard to the six (6) month time limit prescribed in §26-2-214. Such later filed writ of garnishment shall not begin to run until the earlier filed writ's judgment has been satisfied, such earlier filed writ has expired, or such earlier filed writ has been stayed by installment motion as prescribed in §26-2-216.

(b) The time limit prescribed in § 26-2-214 shall not be extended beyond six (6) months from the date of filing if the garnishee has failed to answer or remit funds for such later filed writ.

(c) Nothing in this section shall be construed to affect the date of attachment or the status of any underlying statutory or common law lien rights of any later filed writ of garnishment.

SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

Rep. Bunch moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 2503**, which motion prevailed by the following vote:

Ayes..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 2516** -- Fireworks - Allows sale of Class C common fireworks by previously licensed retailers and seasonal retailers when county's population grows to over 200,000. Amends TCA Section 68-104-112. by \*Hood, \*Eckles. (\*SB2128 by \*Womack)

Rep. Hood moved that House Bill No. 2516 be reset for the Message Calendar on May 24, 2000, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 2594** -- Election Laws - Enacts "Fair Ballot Access Act of 2000"; requires independent candidate, upon request, to be listed on ballot under name of political party affiliation which is other than state-wide political party whose name does not resemble state-wide party upon certification that candidate was nominated by assembly of that party at least 30 days prior to election. Amends TCA Section 2-5-208. by \*Kerr, \*Rinks. (\*SB2149 by \*Burchett, \*Cohen)

Rep. Kerr moved that House Bill No. 2594 be reset for the Message Calendar on May 24, 2000, which motion prevailed.

**HOUSE ACTION ON SENATE MESSAGE**

**House Bill No. 2779** -- Real Estate Agents and Brokers - Makes changes to renewal and registration requirements for real estate brokers and individuals who sell timeshares Amends TCA Section 62-13-307 and Title 66, Chapter 32. by \*Kent. (\*SB2806 by \*Person)

Rep. Kent moved that House Bill No. 2779 be reset for the Message Calendar on May 24, 2000, which motion prevailed.

**HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 2916** -- Victims' Rights - Requires victims to be informed of certain proceedings where no notice is presently being provided. Amends TCA Title 40. by \*Scroggs, \*Newton, \*Hargrove, \*Langster, \*Naifeh, \*McDonald, \*Davidson, \*Bone, \*Bowers, \*Hood, \*Bittle, \*Goins, \*McDaniel, \*Wood, \*Davis (Washington), \*Hagood, \*Bunch, \*Black, \*Hassell, \*Beavers, \*Baird, \*Hargett, \*McCord, \*Buttry, \*Montgomery, \*Briley, \*McMillan, \*Sharp, \*Godsey, \*Todd, \*Odom, \*Maddox, \*Fitzhugh, \*Arriola. (\*SB2509 by \*Herron, \*Burks, \*Blackburn, \*Williams)

**Senate Amendment No. 2**

AMEND House Bill No. 2916 by deleting subdivision (a)(7) in the amendatory language of SECTION 1 and by substituting instead the following:

(7) Defendant's transfer to a different correctional complex if such complex has a lower security designation.

**Senate Amendment No. 3**

AMEND House Bill No. 2916 by deleting from the amendatory language of Section 1(a) the words and punctuation "by the appropriate agency:" and by substituting instead the following:

by the appropriate agency at the earliest practicable opportunity:

Rep. Scroggs moved that the House concur in Senate Amendment(s) No(s). 2 and 3 to **House Bill No. 2916**, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**HOUSE ACTION ON SENATE MESSAGE**

**Senate Bill No. 3081** -- Traffic Safety - Deletes requirement that law enforcement officer witness separate violation of law to issue citation or warrant for arrest for violations of seat belt law; deletes citation only limitation for violations of seat belt law. Amends TCA Title 55, Chapter 9, Part 6. by \*Haun, \*Cohen, \*Kurita. (\*HB3009 by \*Newton, \*Robinson, \*Black)

Rep. Newton moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 2 to **Senate Bill No. 3081**, which motion prevailed.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Davidson moved that the rules be suspended for the purpose of introducing House Resolution No. 241 out of order, which motion prevailed.

**House Resolution No. 241** -- Memorials, Interns - Chad Jackson. by \*Davidson, \*Towns, \*Winningham.

On motion, the rules were suspended for the immediate consideration of the resolution.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

On motion of Rep. Davidson, the resolution was adopted.

A motion to reconsider was tabled.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on May 24, 2000:

**House Joint Resolution No. 575:** by Rep. Buck

**House Joint Resolution No. 435:** by Rep. Jackson

**House Bill No. 3163:** by Rep. Maddox

**House Bill No. 2783:** by Rep. Turner (Hamilton)

**NOTICE TO OVERRIDE VETO**

Pursuant to **Rule No. 78**, Rep. McMillan gave notice that House Bill No. 2659 would be reconsidered on May 24, 2000, the Governor's objections to the contrary notwithstanding, as provided in Article III, Section 18 of the Constitution of Tennessee.

**MESSAGE FROM THE GOVERNOR**

Pursuant to **Rule No. 78**, the Clerk read the Governor's veto of House Bill No. 1932 and requested the same be spread upon the Journal:

**House Bill No. 1932** -- Election Laws - Permits certain nonresident taxpayers in Spring Hill to vote in municipal elections. Amends TCA Section 6-53-102. by \*Sands, \*Williams (Williamson). (\*SB1933 by \*Blackburn)

**GOVERNOR'S STATEMENT ON HOUSE BILL NO. 1932**

According to an Opinion from the Attorney General, House Bill 1932/Senate Bill 1933 and like provisions of the law are unconstitutional. Accordingly, I am compelled to veto House Bill 1932/ Senate Bill 1933.

**MESSAGE FROM THE GOVERNOR**

Pursuant to **Rule No. 78**, the Clerk read the Governor's veto of House Bill No. 3297 and requested the same be spread upon the Journal:

**House Bill No. 3297** -- Harriman - Subject to local approval, establishes Roane Medical Center Hospital Authority. by \*Ferguson. (SB3288 by \*Davis L)

**GOVERNOR'S STATEMENT ON HOUSE BILL NO. 3297**

I am vetoing House Bill 3297/Senate Bill 3288. It is my understanding that Section 9 of the bill contains provisions that violate state law. I believe the sponsors were made aware of these concerns and attempted to recall the bill. Such attempts were unsuccessful. Consequently, I am returning House Bill 3297/Senate Bill 3288 with my veto.

**RULES SUSPENDED**

Rep. Head moved that the rules be suspended to allow House Bill(s) No(s). 2190, 2191, 2485, 2048, 3266, 2202, 2627, 2357, 2205 to be properly placed on notice in the Budget Subcommittee for Wednesday, May 24, 2000, which motion prevailed.

**ANNOUNCEMENTS**

**MOTION TO ADOPT REVISED HOUSE SCHEDULE**

Rep. Hargrove moved that the House convene at 1:00 p.m. on Wednesday, May 24, 2000, which motion prevailed.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 2273:** Rep(s). Boyer as first prime sponsor(s).

**House Bill No. 2689:** Rep(s). Todd as prime sponsor(s).

**House Bill No. 2691:** Rep(s). Todd as prime sponsor(s).

**House Bill No. 2696:** Rep(s). Todd as prime sponsor(s).

**House Bill No. 2697:** Rep(s). Todd as prime sponsor(s).

**House Bill No. 3035:** Rep(s). Todd as prime sponsor(s).

**House Bill No. 3040:** Rep(s). Eckles as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Pinion was/were removed as sponsor(s) of **House Bill No. 2361**.

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

**ENGROSSED BILLS**

**May 22, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 591 and 593.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**May 22, 2000**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2025, 2835, 2862, 3302, 3332, 3333, 3335, 3337, 3338, 3339, 3341, 3342, 3344, 3345, 3346, 3347, 3348, 3349, 3351, 3352, also, House Joint Resolution(s) No(s). 499, 678, 756, 757, 758, 761, 762 and 768.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**May 22, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 707; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 22, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2713 and 2811; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 22, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3118; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 22, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2478; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 22, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2759; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 22, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2452; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 22, 2000**

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 2320.

The Senate nonconcurred in House Amendment(s) No(s). 1.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 22, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 102, 1271, 2040, 2124 and 3080; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 102** -- Sunset Laws - Board of dispensing opticians, June 30, 2007. Amends TCA Title 4, Chapter 29, and Title 63, Chapter 14. by \*Springer, P, \*Person. (HB351 by \*Kernell, \*Garrett, \*Brooks)

**Senate Bill No. 1271** -- Administrative Procedure - Authorizes government operations committees to suspend effectiveness of rules already in effect. Amends TCA Title 4, Chapter 5. by \*Springer, P. (\*HB899 by \*Kernell)

**\*Senate Bill No. 2040** -- Administrative Procedure - Extends agency rules set to expire under provisions of UAPA. by \*Springer, P. (HB2054 by \*Kernell, \*Garrett, \*Brooks)

**\*Senate Bill No. 2124** -- Teachers, Principals and School Personnel - Allows retired teachers to resume teaching without loss of benefits under certain conditions. Amends TCA Title 8, Chapter 36, Part 8 and Title 49, Chapter 5. by \*Womack, \*Burks, \*Crowe, \*Graves. (HB2737 by \*Davidson, \*Hargrove, \*Jones, S., \*Fitzhugh, \*Maddox, \*McDonald, \*Cooper B, \*West, \*Langster, \*Bunch)



**Senate Bill No. 3080** -- Alcoholic Offenses - Creates offense for motor vehicle passenger to possess open alcoholic beverage container Amends TCA 55-10-416. by \*McNally. (\*HB3008 by \*Newton)

**MESSAGE FROM THE SENATE  
May 22, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 720; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Joint Resolution No. 720** -- Memorials, Congress - Urges that China not be admitted to the World Trade Organization. by \*Springer, P, \*Dixon, \*Crowe, \*Burchett, \*Davis L, \*Fowler, \*Henry, \*Person, \*Williams.

**MESSAGE FROM SENATE  
May 22, 2000**

MR. SPEAKER: I am directed to request the return of House Bill(s) No(s). 2891, for further consideration.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE  
May 22, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 629 – Relative to propose an Amendment to the Constitution of Tennessee, for the purpose of permitting the general assembly to define, regulate and set maximum amount of civil penalties.

The resolution passed three readings, as amended, in the Senate by a roll call vote in accordance with Article XI, Section 3, Constitution of the State of Tennessee.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 95

**MONDAY, MAY 22, 2000 – EIGHTIETH LEGISLATIVE DAY**

Representatives present were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 1:00 p.m., Wednesday, May 24, 2000.